

Zoning Text Amendment No: 03-16
Concerning: Home occupations - CBD, I-1,
I-4 Zones
Draft No. & Date: 1 – 6/12/03
Introduced: June 17, 2003
Public Hearing: July 22, 2003; 1:30 PM
Adopted:
Effective:
Ordinance No:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: District Council at the request of the Planning Board

AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of:

- allowing a no-impact and registered home occupation as a permitted use in all CBD zones and in the I-1 and I-4 zones within a Central Business Districts; and
- allowing a major home occupation by special exception in all CBD zones and in the I-1 and I-4 zones within a Central Business Districts.

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-C-5	“INDUSTRIAL ZONES”
Section 59-C-5.21	“Allowable uses”
DIVISION 59-C-6	“CENTRAL BUSINESS DISTRICT ZONES”
Section 59-C-6.22	“Land uses”

EXPLANATION: ***Boldface** indicates a heading or a defined term.*

Underlining indicates text that is added to existing laws by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Sec. 1. DIVISION 59-C is amended as follows:

DIVISION 59-C-5. INDUSTRIAL ZONES.

* * *

59-C-5.2. Land uses.

* * *

59-C-5.21. Allowable uses.

No use is allowed except as indicated in the following table:

- **Permitted Uses.** Uses designated by the letter “P” and uses of a similar character, are permitted on any lot in the zones indicated, subject to all applicable regulations.
- **Special Exception Uses.** Uses designated by the letters “SE” may be authorized as special exceptions, in accordance with the provisions of Article 59-G.

	I-1	I-2	I-3	I-4	R&D	LSC
(e) Services.						
* * *						
Home occupation, major*	<u>SE</u>			<u>SE</u>		
Home occupation, registered*	<u>P</u>			<u>P</u>		
Home occupation, no impact*	<u>P</u>			<u>P</u>		
* * *						

* Permitted only if located within a central business district.

Sec. 2. Division 59-C-6 is amended as follows:

DIVISION 59-C-6. CENTRAL BUSINESS DISTRICT ZONES.

* * *

59-C-6.22. Land uses.

No use is allowed except as indicated in the following table:

- **Permitted uses.** The letter “P” in the appropriate column indicates the zones in which each use is permitted, subject to all applicable

regulations under the standard or optional method of development, indicated by the letters “S” and “O”, respectively.

- **Special Exception Uses.** The letters “SE” in the appropriate column indicate the zones in which each use may be authorized as a special exception, in accordance with Article 59-G, under the standard or the optional method of development respectively. Special exception uses in a development under the optional method are subject to approval by both the Planning Board and the Board of Appeals.

	CBD-0.5		CBD-R1		CBD-1		CBD-2		CBD-3		CBD-R2	
	S	O	S	O	S	O	S	O	S	O	S	O
(e) Services.												
* * *												
<u>Home occupation, major</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Home occupation, registered</u> ²⁴	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Home occupation, no impact</u> ²⁴	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>p</u> ^[24]	<u>p</u> ^[24]
* * *												

24 [Townhouses only.] Parking must be provided in connection with [a] no impact and registered home occupations [in the CBD-R2 zone must not use] in addition to parking that serves [townhouse] dwelling units.

Sec. 3. Effective date. This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

Mary A. Edgar, CMC
Clerk of the Council